

REMARKS

Claims 1-67 are pending in the application. Claims 1-67 have been rejected. Claims 1, **16, 19-23, 33, 34, 44, 45, 55, and 58** have been amended. Support for these amendments is found in the originally-filed specification on page 13, lines 17-25, *inter alia*. Claims **56 and 57** have been cancelled. The specification has been amended to correct typographical errors. No new matter has been added.

Rejection of Claims under 35 U.S.C. §101

Claims **56-57** stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. While Applicants respectfully disagree that the claimed subject matter is non-statutory, claims **56 and 57** have been cancelled to further prosecution.

Rejection of Claims under 35 U.S.C. § 102

Claims **1-6, 8-14, 16, 17, 19-31, 33-42, 44-53, 55-56** are rejected under 35 U.S.C. § 102(e) as being unpatentable by Delph, U.S. Patent 6,199,104 (“Delph”). Amended independent claim 1 is repeated below:

A method comprising:

controlling a user interface presented by a web browser comprising:

causing a web server to push an asynchronous message to the web browser in response to an incoming event, wherein
the web browser presents a user interface change in response to the asynchronous message, and
the incoming event is received by a communication server.

Each of independent claims **1, 16, 19-23, 33, 34, 44, 45, 55, and 58** has been amended to include substantially similar limitations.

Delph does not teach the newly-added limitation that the incoming event is received by a communication server. Delph provides nothing that could be considered or even characterized as a counterpart to the communication server, and thus, cannot teach that an asynchronous message

is pushed to the web browser in response to an incoming event that has been received by the communication server. Consequently, each of independent claims **1, 16, 19-23, 33, 34, 44, 45, 55, and 58** is allowable for at least this reason. Accordingly, claims **1-67** are allowable over Delph.

In the previous amendment filed with the Request for Continued Examination on November 19, 2005, Applicants added the limitation that the web server pushes an asynchronous message to the web browser *in response to an incoming event*. In response to this limitation, the February 8, 2006, Office Action states that “[d]ata is pushed to cause [the] intermediate server to push asynchronous messages to the web browser.” (See Office Action dated February 8, 2006, page 3, section 6, last paragraph.) The Office Action points out that “a request is received from the receiver computer,” and the “host computer contacts and sends data to the intermediate server.” Applicants understand these cited passages of the Office Action to indicate that new data sent to the intermediate server by the host computer is automatically and asynchronously sent to the receiver computer. However, Applicants respectfully submit that such an argument is mistaken. Applicants believe that, in the absence of an outstanding request by the receiver computer, new data sent to the intermediate server by the host computer will not be sent to the receiver computer.

Applicants find support for this position in Delph’s description of asynchronous and synchronous modes. For example, Delph indicates that the continuous series of pages of translated host data are provided in what is referred to as a “synchronous mode,” where the Web browser receives the set of pages as a synchronous response to the request for a page identified by a single URL. The server push technique described by Delph enables multiple portions of data to be pushed in response to a single request without the need for a separate connection to be established for each portion of the data; however, the multiple portions of data nevertheless are pushed in response to a synchronous request for the data and not as an asynchronous message.

In describing “asynchronous mode,” Delph describes receiver computers as viewing host data “after the host computer stops viewing the data and stores the data on a storage device 160 associated with intermediate server 150.” Nothing indicates that receiver computers are automatically provided with data without sending a request to view the data. Therefore, Applicants respectfully reiterate their position that Delph does not teach *pushing an*

asynchronous message (i.e., the claimed web server sending the asynchronous message without receiving a request from the web browser). Delph's intermediate server 50 sends translated data to receiver computer 90 *upon receiving a request for the translated host data by the receiver computer 90*, and not as an asynchronous message. No data is pushed to a receiver computer without first receiving a request for that specific data. Furthermore, even when the receiver computer is operating in the supposed "asynchronous mode," which indicates that the receiver computer is viewing stored data rather than live data, the receiver computer must first request to view the stored data before the stored data is sent to the receiver computer.

The Office Action further states that "in synchronous mode, the data is synchronized since it is transmitted continuously from host to receiver computer and viewed at the same time, whereas in asynchronous mode, the data is stored on the intermediate server and transmitted to the receiver. Therefore the data is not synchronized with the host compu

ter." (See Office Action dated February 8, 2006, page 14, section 33.) Applicants respectfully submit that the synchronization of data between the host computer and the receiver computer is irrelevant to the claimed subject matter. The only relevant question is whether Delph teaches that an asynchronous message is pushed by the web server to the web browser in response to an incoming event that was received by a communication server. Applicants respectfully submit that Delph does not teach the claim limitations and therefore claims 1-67 are allowable over Delph.

With regard to Applicants' argument that Delph does not teach presenting a user interface change presented by the web browser in response to the asynchronous message, the Office Action states that "... Delph clearly teaches ... presenting a change in the user interface in response to receiving data, wherein the data is an asynchronous message... ." However, as Applicants have demonstrated above, the data are not presented as an asynchronous message. Therefore, no user interface change is presented in response to the asynchronous message.

Rejection of Claims under 35 U.S.C. § 103

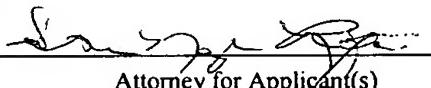
Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Delph, in view of Landsman et al, U.S. Patent 6,314,451 ("Landsman"). Claim 7 depends from independent claim 1, which has been shown to be allowable over Delph standing alone. Consequently, claim 7 is allowable for at least the foregoing reasons.

Claims 15, 18, 32, 43, 54, and 67 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Delph, in view of Boyle et al, U.S. Patent 6,138,158 ("Boyle"). Each of claims 15, 18, 32, 43, 54, and 67 depends from one of independent claims 1, 16, 19-23, 33, 34, 44, 45, 55, and 58, each of which has been shown to be allowable over the Delph reference standing alone. Consequently, claims 15, 18, 32, 43, 54, and 67 are allowable for at least the foregoing reasons.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5086.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on May 8, 2006.



Attorney for Applicant(s)


5/8/06
Date of Signature

Respectfully submitted,


D'Ann Naylor Rifai
Attorney for Applicants
Reg. No. 47,026
(512) 439-5086 [Phone]
(512) 439-5099 [Fax]